

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**ALLY BANK, FIDELITY NATIONAL TITLE  
INSURANCE COMPANY, ET AL.,**

**Plaintiffs,**

**vs.**

**JAMES C. CASTLE AKA J. CHRISTOPHER  
CASTLE, ET AL.,**

**Defendants.**

**Case No.: 11-CV-896 YGR**

**ORDER SETTING STATUS HEARING RE:  
WITHDRAWAL OF COUNSEL OR  
SUBSTITUTION FOR DEFENDANT JAMES C.  
CASTLE**

On March 17, 2014, Ann McFarland Draper, counsel for Defendant and Cross-Defendant James C. Castle (aka J. Christopher Castle) and Counter-claimant James C. Castle aka J. Christopher Castle, individually and as trustee of the J. Christopher Castle Irrevocable Trust, filed a motion seeking, among other things, to withdraw as counsel of record for those parties. (Dkt. No. 622.) The Court denied that motion without prejudice for failure to file proof of service upon Castle or of other evidence of that Castle had notice of the motion to withdraw. (Dkt. No. 672, dated April 20, 2014.)<sup>1</sup> Draper has indicated in case management statements that she will file a substitution or renewed motion to withdraw (Dkt. No. 680, filed June 3, 2014; Dkt. No. 699, filed August 5, 2014). She has not done so to date.

Since the time of the motion to withdraw, Castle has filed a number of documents with the Court, apparently without the assistance of counsel. (See Dkt. No 709-4, "Affidavit of Status of

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<sup>1</sup> The Court further ordered: "Should Draper continue to seek leave to withdraw, she is directed to serve a notice of motion, declaration, and proposed form of order on Castle, and all remaining parties in the litigation, which contains all the information provided in California Judicial Council Forms MC-051, MC-052, and MC-053. (See <http://www.courts.ca.gov/forms.htm>.)" (Dkt. No. 672.) This information includes **Castle's current mailing address** for receipt of notices from the Court and other parties.


1 James Christopher Castle: American Freeman;" Dkt. No. 723, "Notice of Indenture" and "Amicus  
2 Curiae Affidavit for the Record" of James Christopher Castle.)

3 Draper and Castle have a responsibility to the Court to clarify the status of Castle's  
4 representation and correct contact information for the orderly resolution of the litigation. Therefore,  
5 the Court **SETS** a Status Hearing for **December 19, 2014, at 9:01 a.m.** regarding withdrawal or  
6 substitution of counsel for Defendant James C. Castle, both individually and as trustee for the J.  
7 Christopher Castle Irrevocable Trust.

8 Counsel Ann McFarland Draper is **ORDERED** to file a status report regarding withdrawal or  
9 substitution no later than **December 12, 2014**. However, if Draper has filed a motion to withdraw  
10 prior to that time, no status report need be filed. If Draper's compliance is timely, the Court may  
11 vacate the December 19 status hearing without the need to appear.

12 **IT IS SO ORDERED.**

13 **Dated:** November 12, 2014

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15 YVONNE GONZALEZ ROGERS  
16 UNITED STATES DISTRICT COURT JUDGE  
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United States District Court  
Northern District of California